

faith; and such appeal, when granted, shall be heard *de novo* in the superior court.

SEC. 11. In all issues of fact, founded upon trials of Issues of fact. petit misdemeanors, the parties may, by a written stipulation, filed in the cause, waive their right to have the same determined by a jury, and submit it to a decision of the justices of said inferior court, and the finding of such justices, or a majority of them, upon the facts, shall have the force and effect of a verdict of a jury.

SEC. 12 Thirty jurors shall be provided for each term of said court in the same manner that jurors are provided Jurors. for the superior courts, of which jurors, fifteen, drawn and sworn in the same manner that grand jurors are drawn and sworn in the superior courts, shall constitute the grand jury, with the same powers and duties with grand juries in the superior court; the other fifteen shall be petit jurors for the trial of causes, and when the regular panel shall be exhausted, talesmen may be summoned and sworn under the same rules as govern such cases in the superior courts.

SEC. 13. In each county in which the said court shall be holden, a majority of the justices of the peace may Justices may elect a clerk. elect a clerk of said inferior court, who shall enter into a good and sufficient bond in a sum not less than five thousand dollars, to be fixed, and with the sureties thereto, to be approved by the justices of the county, for the faithful discharge of all the duties of his office, who shall keep the records of his court in suitable manner, in books to be furnished by the Secretary of State, and shall receive the same fees for services by him rendered as are provided by law to the clerk of the superior courts for similar services, and shall hold his office for two years, and until his successor is chosen and qualified, and shall be subject to the same laws and regulations as are provided for the qualifications, duties, responsibilities and liabilities of clerks of the superior courts: *Provided, nevertheless, That* Provido. if the justices of the peace of any county, or a majority of them, shall fail or decline to elect a clerk, as is herein